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June 9, 2005

VIA HAND DELIVERY

The Honorable Charles L. A. Terreni
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RECEIVED
2005 JUN -9 PM 4:32
SC PUBLIC SERVICE
COMMISSION

RE: Duke Power, a Division of Duke Energy Corporation's, ("Duke Power") Request
for an Allowable *Ex-Parte* Communication Briefing, Pursuant to Section 58-3-
260 *et seq.*

Dear Mr. Terreni:

You will recall that information was transmitted by an earlier email to you and the Office of Regulatory Staff's attention, informing you that an "Allowable *Ex-Parte* Communication Briefing" ("briefing") would be requested by Duke Power in June 2005.

The subject matter of the requested briefing is a meeting at the Commission's offices in Columbia, South Carolina to discuss Broadband Over Power Lines ("BPL"), also known as Power Line Communications, using existing electric distribution lines to create a last-mile broadband communications network. The presentation will cover the current state of the "BPL" industry, "BPL" technology basics, and Duke Power's "BPL" activities and plans.

Accordingly, Duke Power, through counsel, requests a briefing, pursuant to section 58-3-260 *et seq.*, relevant to the above referenced matter. Specifically, the briefing will be held in compliance with the cited statute.

Please consider:

1. S.C. Code 58-3-260 (C)(6)(a)(vi) is not applicable. No hearing, at which the subject matter of the proposed briefing is an issue, has been scheduled before this Commission, nor has Duke Power made a filing concerning the subject matter of this briefing, therefore the twenty business day requirement does not apply.
2. In compliance with S.C. Code 58-3-260 (C)(6)(a)(v):
 - a) The date and the time of the proposed briefing is June 20, 2005 from 10:00 a.m. to 12:00 p.m. at the Commission's offices at 101 Executive Center Drive, Columbia South Carolina, 29210.
 - b) The name of the person or party requesting the briefing is Duke Power, through counsel.
 - c) The names of each Commissioner and Commission Employee whom Duke Power has requested to brief follow. Commissioners, Chairman Randy Mitchell, Vice Chairman G. O'Neal Hamilton, John E. Howard, David A. Wright, Elizabeth B. Fleming, Mignon L. Clyburn, C. Robert Moseley. Also, Commission Employees, Charles L. A. Terreni, Esquire, Joseph Melchers, Esquire, Dr. James Spearman, Philip D. Riley, Jocelyn Boyd, Esquire, F. David Butler, Esquire, Tom Ellison, Norbert Thomas, and Doug Pratt.
 - d) The subject matter to be discussed at the briefing is: Broadband Over Power Lines ("BPL"), also known as Power Line Communications, using existing electric distribution lines to create a last-mile broadband communications network. The presentation will cover the current state of the "BPL" industry, "BPL" technology basics, and Duke Power's "BPL" activities and plans.
 - e) Copies of this request have been hand-delivered to the ORS, on even date, as set forth below.

Finally, we request that you have your staff post this request for a briefing on the Commission website as soon as possible, in compliance with S.C. Code 58-3-260 (C)(6)(a)(v).

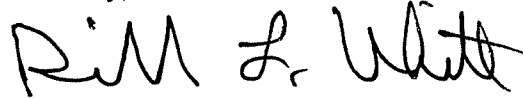
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COMMISSION

The Honorable Charles L. A. Terreni
June 9, 2005
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Please let us know if you have any questions or concerns.

With kind regards, we are

Sincerely,

A handwritten signature in black ink, appearing to read "William F. Austin" and "Richard L. Whitt" joined together.

William F. Austin
Richard L. Whitt

RLW/rgw

cc: C. Dukes Scott, Esquire

Dan F. Arnett

John W. Flitter

A. R. Watts

Anthony James

Florence P. Belser, Esquire

(all of the South Carolina Office of Regulatory Staff)